

RCRA REVISION CHECKLIST 111

Burning of Hazardous Waste in Boilers and Industrial Furnaces;
 Technical Amendment III
 57 FR 38558-38566
 August 25, 1992
 (RCRA Cluster III, Both HSWA and Non-HSWA provisions)

Notes: 1) The notice addressed by this checklist makes several technical amendments to the final rule addressed by Revision Checklist 85 (56 FR 7134, February 21, 1991), Revision Checklist 94 (56 FR 32688, July 17, 1991), and Revision Checklist 96 (56 FR 42504, August 27, 1991). These revisions provide clarification and correct unintended consequences of the Boilers and Industrial Furnaces (BIF) rule and its previous corrections.

2) Note that on September 5, 1991 (56 FR 43874; Revision Checklist 98), an administrative stay of the permitting standards as they apply to coke ovens burning certain hazardous wastes was published, affecting the February 21, 1991 (56 FR 7134; Revision Checklist 85) final rule. The changes addressed by that administrative stay are optional. However, the final rule addressed by Revision Checklist 105 (June 22, 1992; 57 FR 27880) removed the September 5, 1991 administrative stay. Thus, States that have adopted the Coke Oven Administrative Stay introduced by Revision Checklist 98 should either remove their analog to the note that follows 266.100(a) or state in their regulations that this stay ends on June 22, 1992.

3) States that are not authorized for Revision Checklists 85, 94 and 96 are strongly encouraged to adopt these present technical corrections and the ones addressed by Revision Checklist 114 (57 FR 44999; September 20, 1992) at the same time the requirements addressed by Revision Checklists 85, 94 and 96 are adopted. States already authorized for the provisions addressed by Revision Checklists 85, 94 and 96 should adopt these present technical corrections, and Revision Checklist 114, as soon as possible. A checklist is available which consolidates all of these checklists into one consolidated Boilers and Industrial Furnaces checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

insert "followed by an afterburner using controlled flame combustion" after "heat"	260.10 "infrared incinerator"					
insert "followed by an afterburner using controlled flame combustion" after "heat"	260.10 "plasma arc incinerator"					

SUBPART C - RULEMAKING PETITIONS

**RCRA REVISION CHECKLIST 111: Burning of Hazardous Waste in
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			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
GENERAL						
replace "265" with "266" in the first sentence	260.20(a)					
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A - GENERAL						
DEFINITION OF SOLID WASTE						
change "paragraph" to "paragraphs"; insert "and (d)(2)" after "(d)(1)"	261.2(e)(2)(iv)					
PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART A - GENERAL						
PURPOSE, SCOPE, AND APPLICABILITY						
change "subparts C, D, F, or G" to "subparts C, F, G, or H"	264.1(g)(2)					

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:					
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE		
PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES								
SUBPART A - GENERAL								
PURPOSE, SCOPE, AND APPLICABILITY								
change "subparts C, D, F, or G" to "subparts C, F, G, or H"	265.1(c)(6)							
PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES								
SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES								
APPLICABILITY								
1 change "(b), (c), and (d)" to "(b), (c), (d), and (f)"	266.100(a)							
replace "261.111" with "266.111"	266.100(f)							
MANAGEMENT PRIOR TO BURNING								
replace "subparts A through L of part 264, subparts A through L of part 265, and part 270" with "parts 264, 265, and 270"	266.101(c)(1)							
delete "-" from "on-site"; replace "regulation under subparts A through L of part 264, subparts A through L of part 265, and part 270" with "the regulations of parts 264, 265, and 270"; replace "with respect to the storage of" with "applicable to storage units for those storage units that store"	266.101(c)(2)							

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			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
INTERIM STATUS STANDARDS FOR BURNERS						
insert "or Adjusted Tier I" after "Tier I"; insert ", " after the second "(e)"	266.103(b)(2)(ii)					
insert "or Adjusted Tier I" after "Tier I"; replace "feedstream" with "feed stream"	266.103(b)(2)(iii)					
insert ", unless complying with the Tier I or Adjusted Tier I metals feed rate screening limits under §266.106(b) or (e)" after "feed"	266.103(b)(3)(ii)(B)					
insert ", unless complying with the Tier I or Adjusted Tier I feed rate screening limits for chlorine under § 266.107 (b)(1) or (e) and for all metals under § 266.106 (b) or (e), and the uncontrolled particulate emissions do not exceed the standard under § 266.105" after "product"	266.103(b)(3)(v)					
insert "or as otherwise specified" after "section)"; insert "of §§ 266.104(b) through (e), 266.105, 266.106, 266.107 and 266.103(a)(5)(i)(D)" after "emission standards"	266.103(c)(1)					
replace text after "except that" with ":"	266.103(c)(1)(ii)(A)					

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			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new subparagraph addressing operating limits for facilities that comply with Tier I or Adjusted Tier I metals feed rate screening limits	266.103(c)(1)(ii)(A)(I)					
add new subparagraph addressing metal concentration limits for industrial furnaces that must comply with alternative metals implementation approach under 266.103(c)(3)(ii)	266.103(c)(1)(ii)(A)(2)					
3 delete ":"; add "(unless complying with the Tier I or Adjusted Tier I metals feed rate screening limits under § 266.106 (b) or (e);"	266.103(c)(1)(ii)(C)					
4 replace ";" with "," and add phrase addressing the operating limits for facilities that comply with Tier I or Adjusted Tier I feed rate screening limits	266.103(c)(1)(iii)					
44 replace ";" with "," and add phrase addressing compliance with Tier I or Adjusted Tier I feed rate screening limits	266.103(c)(1)(vi)					

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before "266.104(c)," replace "§§" with "§"; add sentence addressing owners and operators of facilities electing to comply with 266.104(f) alternative hydrocarbon provision and requesting a 266.103(c)(7)(ii)(B) time extension;	266.103(c)(5)					
replace "owner and operator request" with "owner or operator requests"; replace "them to" with "the facility to comply with the alternative hydrocarbon provisions of § 266.104(f) and"	266.103(c)(7)(ii)(B)					

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STANDARDS TO CONTROL ORGANIC EMISSIONS						
replace initial "The" with "When the baseline HC (and CO) level is determined, the"; replace "when the baseline HC (and CO) level is determined" at end of sentence with a phrase regarding normal products, operating conditions, feedstocks and fuels; remove "(and CO)" after the second occurrence of "HC"; insert "HC" after "rolling average"; after "hazardous waste," replace phrase regarding normal operating conditions, feedstocks and fuels with phrase regarding adjustment for hydrocarbon level variability under good operating conditions; before last sentence, add sentence addressing baseline CO level determination; in last sentence, replace "may" with "must" and "different" with "lower"	266.104(f)(1)					

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			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
STANDARDS TO CONTROL METALS EMISSIONS						
remove parentheses around "and Tier II"; add "either" after "comply with"; at end of subparagraph, add phrase addressing adjusted Tier I limits	266.106(b)(7)					
in title, insert "and Adjusted Tier I"; add sentence addressing applicability of this paragraph	266.106(d)					
remove ", " after "each metal" and insert ". In addition, conformance with either the Tier III or Adjusted Tier I metals controls must be demonstrated by"	266.106(d)(1)					
replace the equation as shown at 57 <u>FR</u> 38566	266.106(d)(3)					
after "testing", add parenthetical phrase regarding facilities complying with Adjusted Tier I controls	266.106(d)(5)					
STANDARDS TO CONTROL HYDROGEN CHLORIDE (HCl) AND CHLORINE GAS (Cl ₂) EMISSIONS						
replace "(b) or (c)" with "(b), (c), or (e)"	266.107(a)					

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SMALL QUANTITY ON-SITE BURNER EXEMPTION						
replace equation as shown at 57 <u>FR</u> 38566	266.108(c)					
REGULATION OF RESIDUES						
replace "concentrations" with "concentration"; insert "each" before "nonmetal toxic"; replace "constituents" with "constituent"; replace "levels" with "level"; at the end of the first sentence add phrase regarding level of detection	266.112(b)(2)(i)					
APPENDIX IX TO PART 266						
METHODS MANUAL FOR COMPLIANCE WITH THE BIF REGULATIONS						
in footnote 1, replace "EPA-450/2-78-027" with "EPA-450/2-78-027R"	Appendix IX/Section 5.0/Table 5.0-3.					
in the title, replace "ISCT PREDICATED" with "ISCST PREDICTED" and replace "µG/M³" with "µg/m³"	Appendix IX/Section 5.0/Table 5.0-4.					
in the title, replace "ISCT PREDICATED" with "ISCST PREDICTED" and replace "µG/M³" with "µg/m³"	Appendix IX/Section 5.0/Table 5.0-5.					

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in first paragraph, add reference to footnote "1" after "(EPA 1986)"; in footnote 1, replace "EPA-450/2-78-027" with "EPA-450/2-78-027R"; in third paragraph, replace "Auer 3978" with "Auer 1978"	Appendix IX/Section 6.0, Subsection 6.1					

- ¹ This rule corrects an error in the September 5, 1991 rule (56 FR 43874, Revision Checklist 98) by replacing the reference to "(f)" that was erroneously removed.
- ² Note that this rule erroneously changes "266.103(a)(5)(i)(D)" to "266.103(a)(5)(I)(D)." We have used the correct citation in this checklist.
- ³ Note that there is an error in the Federal Register article for this rule. There should be an additional closing parenthesis after "(e)" to complete the parenthetical phrase.
- ⁴ Note that the Federal Register incorrectly ends these revised paragraphs with periods, rather than leaving the original semicolons. This is inconsistent with the structure of the surrounding subparagraphs.
- ⁵ Note that there is an error in the Federal Register article for this rule. The phrase "dispersion modeling to predict the maximum annual average off-site ground level contamination for each" appears twice but should only occur once.
- ⁶ Note that there are errors in the Federal Register article for this rule. The original titles for these tables in the July 17, 1991 rule (56 FR 32688, Revision Checklist 94) read " $\mu\text{G}/\text{M}^3$ ", not " $8\text{G}/\text{M}^3$ " as indicated in the corrections numbered 11 and 12 on page 38566 of the current rule. The " $8\text{G}/\text{M}^3$ ", however, appears in the 1991 and 1992 CFRs and is incorrect. Note also that the " $\mu\text{G}/\text{M}^3$ " in the July 17, 1991, Federal Register and the " $8\text{G}/\text{M}^3$ " in the 1991 and 1992 CFRs should be " $\mu\text{g}/\text{m}^3$ " rather than " g/m^3 " as shown at 57 FR 38566 (August 25, 1992). The error was corrected by Revision Checklist 114 (57 FR 44999; September 30, 1992).